



1638

BAKER BOTTS LLP

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

11

Application Number	09/529,239
Filing Date	October 27, 2000
First Named Inventor	Marie-Pascale Doutriaux
Group Art Unit	1638
Examiner Name	David H. Kruse
Attorney Docket Number	A33153-PCT-USA 072667.0128

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 Fee Attached
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 Extension of Time Request
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 Certified Copy of Priority Document(s)
 Response to Missing Parts/ Incomplete Application
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- Assignment Papers (for an Application)
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- After Allowance Communication to Group
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 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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 Status Letter
 Other Enclosure(s) (please identify below):

Supplemental Information Disclosure Statement (5 sheets); Form PTO-1449 (3 sheets); and Return postcard

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112		
Signature	<i>Carmella L. Stephens</i>		
Date	September 26, 2002		
Att Name:	Carmella L. Stephens		
PTO Reg:	41,328		

CERTIFICATE OF MAILING

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Typed or printed name	Carmella L. Stephens		
Signature	<i>Carmella L. Stephens</i>		
Date	September 26, 2002		

BAKER BOTTS LLP

Attorney Docket Number: A33153-PCT-USA 072667.0128

Title:

METHOD FOR OBTAINING PLANT VARIETIES

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\\$) 0
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Complete if Known

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Filing Date	October 27, 2000
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METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																									
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 02-4377 Deposit Account Name Baker Botts LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Fee (\$)</td> <td>Fee (\$)</td> <td></td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>920*</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1,840*</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>400</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>920</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1,440</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1,960</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>320</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>320</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>280</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1,510</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1,280</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1,280</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>460</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>620</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>50</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>40</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>740</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>740</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>740</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>900</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	Fee (\$)	Fee (\$)			130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	For filing a request for ex parte reexamination		920*	920*	Requesting publication of SIR prior to Examiner action		1,840*	1,840*	Requesting publication of SIR after Examiner action		110	55	Extension for reply within first month		400	200	Extension for reply within second month		920	460	Extension for reply within third month		1,440	720	Extension for reply within fourth month		1,960	980	Extension for reply within fifth month		320	160	Notice of Appeal		320	160	Filing a brief in support of an appeal		280	140	Request for oral hearing		1,510	1,510	Petition to institute a public use proceeding		110	55	Petition to revive - unavoidable		1,280	640	Petition to revive - unintentional		1,280	640	Utility issue fee (or reissue)		460	230	Design issue fee		620	310	Plant issue fee		130	130	Petitions to the Commissioner		50	50	Processing fee under 37 CFR 1.17(q)		180	180	Submission of Information Disclosure Stmt		40	40	Recording each patent assignment per property (times number of properties)		740	370	Filing a submission after final rejection (37 CFR § 1.129(a))		740	370	For each additional invention to be examined (37 CFR § 1.129(b))		740	370	Request for Continued Examination (RCE)		900	900	Request for expedited examination of a design application	
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SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Carmella L. Stephens	Registration No. (Attorney/Agent)	41,328	Telephone (212) 408-2539
Signature	<i>Carmella L. Stephens</i>	Date	September 26, 2002	

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A33153-PCT-USA 072667.0128
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Marie-Pascale Doutriaux
Serial No. : 09/529,239 Examiner : Kruse, David H.
Filed : October 27, 2000 Group Art Unit : 1638
For : METHODS FOR OBTAINING PLANT VARIETIES

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SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT

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September 26, 2002
Date of Deposit

Carmella L. Stephens
Attorney Name 41,328
PTO Registration No.

Carmella L. Stephens
Signature September 26, 2002
Date of Signature

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. §1.56 and §1.97(c)(2), Applicants respectfully request that the references relating to the above-identified application listed herein in reverse

chronological alphabetical order be considered and made of record in the U.S. Patent and Trademark Office.

1. Asano T et al., 2002, "Rice SPK, a calmodulin-like domain protein kinase, is required for storage product accumulation during seed development: phosphorylation of sucrose synthase is a possible factor" *Plant Cell*. 14(3):619-628;
2. Jobling SA et al., 2002, "Production of a freeze-thaw-stable potato starch by antisense inhibition of three starch synthase genes" *Nat Biotechnol*. 20(3):295-299;
3. Scheidig A et al., 2002, "Downregulation of a chloroplast-targeted beta-amylase leads to a starch-excess phenotype in leaves" *Plant J*. 30(5):581-591;
4. Verpoorte R et al., 2002, "Engineering secondary metabolite production in plants" *Curr Opin Biotechnol*. 13(2):181-187;
5. Forkmann G et al., 2001, "Metabolic engineering and applications of flavonoids" *Curr Opin Biotechnol*. 12(2):155-160;
6. Tuteja N et al., 2001, "Molecular mechanisms of DNA damage and repair: progress in plants" *Crit. Rev. Biochem Mol. Biol.* 36(4):337-397;
7. Zhang Y et al., 2001, "Expression of antisense SnRK1 protein kinase sequence causes abnormal pollen development and male sterility in transgenic barley" *Plant J*. 28(4):431-41;
8. Cao X et al., 2000, "Conserved plant genes with similarity to mammalian de novo DNA methyltransferases" *Proc Natl Acad Sci USA* 97(9):4979-4984;
9. Culligan KM et al., 2000, "Arabidopsis MutS homologs-AtMSH2, AtMSH3, AtMSH6, and a novel AtMSH7-form three distinct protein heterodimers with different specificities for mismatched DNA" *Plant Cell* 12:991-1002;
10. O'hara P et al., 2000, "Modulation of fatty acid biosynthesis by antisense beta-keto reductase expression" *Biochem Soc Trans*. 28(6):613-615;
11. Stepanova AN et al., 2000, "Ethylene signaling: from mutants to molecules" *Curr Opin Plant Biol*. 3(5):353-360;
12. Yanagisawa S, 2000, "Dof1 and Dof2 transcription factors are associated with expression of multiple genes involved in carbon metabolism in maize" *Plant J*. 21(3):281-288;
13. Ade J et al., 1999, "Four mismatch repair paralogues coexist in Arabidopsis thaliana: AtMSH2, AtMSH3, AtMSH6-1 and AtMSH6-2" *Mol. Gen. Genet.* 262(2):239-249;

14. Martin M et al., 1999, "Antisense-mediated depletion of potato leaf omega3 fatty acid desaturase lowers linolenic acid content and reduces gene activation in response to wounding" *Eur J Biochem.* 262(2):283-290;
15. Royo J et al., 1999, "Antisense-mediated depletion of a potato lipoxygenase reduces wound induction of proteinase inhibitors and increases weight gain of insect pests" *Proc Natl Acad Sci USA* 96(3):1146-1151;
16. Schroda M et al., 1999, "A chloroplast-targeted heat shock protein 70 (HSP70) contributes to the photoprotection and repair of photosystem II during and after photoinhibition" *Plant Cell* 11(6):1165-78;
17. Amor Y et al., 1998, "The involvement of poly(ADP-ribose) polymerase in the oxidative stress responses in plants" *FEBS Lett.* 440(1-2):1-7;
18. Kaldenhoff R et al., 1998, "Significance of plasmalemma aquaporins for water-transport in *Arabidopsis thaliana*" *Plant J.* 14(1):121-128;
19. Robbins MP et al., 1998, "Genetic manipulation of condensed tannins in higher plants. II. Analysis Of birdsfoot trefoil plants harboring antisense dihydroflavonol reductase constructs" *Plant Physiol.* 116(3):1133-1144;
20. Xu H et al., 1998, "Plant homologue of human excision repair gene ERCC1 points to conservation of DNA repair mechanisms" *Plant J.* 13(6):823-9;
21. Bavage AD et al., 1997, "Expression of an *Antirrhinum* dihydroflavonol reductase gene results in changes in condensed tannin structure and accumulation in root cultures of *Lotus corniculatus* (bird's foot trefoil)" *Plant Mol Biol.* 35(4):443-458;
22. Lee D et al., 1997, "Antisense suppression of 4-coumarate:coenzyme A ligase activity in *Arabidopsis* leads to altered lignin subunit composition" *Plant Cell.* 9(11):1985-1998;
23. Mett VL et al., 1996, "A system for tissue-specific copper-controllable gene expression in transgenic plants: nodule-specific antisense of aspartate aminotransferase-P2" *Transgenic Res.* 5(2):105-113;
24. Masle J et al., 1993, "Effects of Ambient CO₂ Concentration on Growth and Nitrogen Use in Tobacco (*Nicotiana tabacum*) Plants Transformed with an Antisense Gene to the Small Subunit of Ribulose-1,5-Bisphosphate Carboxylase/Oxygenase" *Plant Physiol.* 103(4):1075-1088;
25. Orozco-Cardenas M et al., 1993, "Expression of an antisense prosystemin gene in tomato plants reduces resistance toward *Manduca sexta* larvae" *Proc Natl Acad Sci USA* 90(17):8273-8276;

26. Bramley P et al., 1992, "Biochemical characterization of transgenic tomato plants in which carotenoid synthesis has been inhibited through the expression of antisense RNA to pTOM5" *Plant J.* 2(3):343-349; and
27. McGurl B et al., 1992, "Structure, expression, and antisense inhibition of the systemin precursor gene" *Science* 255(5051):1570-1573.

A Supplemental Information Disclosure Statement was filed in the above-identified application on September 23, 2002. However, a Form PTO-1449 was apparently not included. Applicants enclose herewith the Form PTO-1449. Copies of the references were provided with the Supplemental Information Disclosure Statement filed on September 23, 2002.

Identification of the references listed in the attached PTO Form 1449 is not to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the above-identified application.

Applicants enclosed the fee required under 37 C.F.R. §1.17(p) with the Supplemental Information Disclosure Statement filed on September 23, 2002. Applicants do not believe that any additional fees are required with this submission. Any required fees not otherwise enclosed herewith may be charged to Deposit Account No. 02-4377. Two copies of this page are enclosed.

Respectfully submitted,

September 26, 2002

Carmella L. Stephens
Louis S. Sorell
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Enclosures